



# Battle Town Council



Minutes of the **PLANNING & TRANSPORT COMMITTEE** held on  
**TUESDAY, 12 MARCH 2024 at 7.30pm. The Almonry, High Street, Battle**

**Present:** Cllr D Wheeler (Chairman), A Barton, A Brown, A Ratcliffe, D Silk.

**In attendance:** One member of the public, C Harris (Town Clerk)

## **PUBLIC QUESTION TIME**

A member of the public, on behalf of Residents Against Unauthorised Development in Netherfield (RAUDIN), updated the Committee on action taken by Rother District Council, following the Order to quash the planning consent for application RR/2022/2791/P, to reprocess the application via an advert in the Battle Observer on 9 March 2024 which requires comments by 30 March 2024. The Council was asked to resubmit previous objections and to include reference to the adverse impact on the ancient woodlands and contravention of s38(6) of the Planning & Compulsory Purchase Act 2004.

*The member of the public left the meeting.*

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- 1. Apologies for absence:** Cllrs V Cook and D Russell.
  - 2. Disclosure of Interest:** None.
  - 3. Minutes of the previous meeting held on 13 February 2024** were approved and duly signed by Cllr Wheeler.
  - 4. Clerk's report**
    - East Sussex County Council has been reminded that the application for a **Feasibility Study for the Share Use Pathway** remains outstanding.
    - The postcard has been updated and issued to planning applicants.
    - It has not been possible for Cllr Wheeler and the Clerk to review **possible sources of funding**, although funding opportunities are currently being researched in relation to the Pavilion and therefore would be highlighted for all Council projects.
    - Further to additional concerns from a resident at **speeding vehicles on Hastings Road**, Officers have been advised by the Battle Community Speedwatch group that: appropriate locations are set by the Police; current locations are North Trade Road (but not as far along as the school), A2100 and Lower Lake/Battle Hill; evidence of need is required for other locations to be included. This could be identified by the Black Cat/Radar records. Progress on the Black Cat, now referred to as "traffic radar" is proving challenging but is ongoing.

## **5. Planning applications received to date**

ADDITIONAL INFORMATION /AMENDED PLANS AND/OR DESCRIPTION

**[RR/2023/2500/P](#) West View, Kane Hythe Road, Netherfield, Battle**

Change of use of stables to ancillary accommodation to the main dwelling at ground floor and an annexe at first floor.

**Comments:** Members noted that this has been approved by the Local Planning Authority.

**[RR/2023/2581/P](#) Blackfriars - Land at, Battle**

Reserved matters for details of (layout, appearance, landscaping and scale) for plots 1-7 to include 1 and 3 bedroom affordable homes with associated parking, access roads, drainage proposals pursuant to outline planning permission RR/2019/604/P with design guide for 13 conceptual 5 bedroom self-build units



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**Comments:** Members agreed unanimously to support a refusal of this application as contrary to Battle Civil Parish Neighbourhood Plan:

IN2 - Maintain and improve existing infrastructure - these proposals may have a significant impact upon the local road network, especially the Harrier Lane/Marley Road junction, resulting in queuing traffic and the potential harmful effects from exhaust fumes;

IN3 - Parking and new development - Whilst on-site parking provision appears sufficient for the residents, there are concerns that insufficient allocation has been provided for visitor parking;

EN2 - Conservation of the natural environment, eco-systems and biodiversity - the proposals necessitate the large-scale felling of mature woodland, annotated as W1 within the proposals. Whilst biodiversity enhancements are included, they are minimal compared to the destruction of existing wildlife habitats in this area;

EN3 - The High Weald AONB and countryside protection - point 1, water quality will not be improved (as a result of run-off from the hard surfaces); point 2, the proposed woodland management is minimal; and point 3, the proposed public right of way will suffer damage to its rural character by being routed through the northern housing development site.

Additional concerns to support the objection:

1. Housing Design Guide, page 6 states "The design guide sets out an approach to development that corresponds with the High Weald Area of Natural Beauty Design Guide, the Rother District Local Plan and Development and Site Allocations Local Plan" - there is no mention that the Neighbourhood Plan itself has been consulted whatsoever, as repeated in the Covering Letter, clause 4.2.
2. Considering the complete lack of progress in developing the existing site, it is inappropriate to submit plans for further development of the site for the 7 no. affordable and 13 no. self-build properties at this time - should we not give the local residents a period of noise/disturbance-free time?
3. Housing Design Guide, page 10, figure 5, states "Windows on more than one elevation enhance the street scene, provide natural surveillance and increase daylighting potential for dwelling interiors", yet the plans shown on page 34 indicate that the first floor room with a window to the side elevation is an ensuite to a bedroom which will, undoubtedly, contain obscured glazing.
4. Housing Design Guide, page 11 suggests "...front boundaries, these should be clearly delineated from public space with either timber fencing, hedging or masonry walls" – we suggest this is limited to hedging only, as fencing or brick walls offer no biodiversity benefits to the site.
5. Housing Design Guide, page 17, 3.5 Privacy, suggests "...planting of semi-mature trees...", these should be either native or drought resistant only, and "In situations where there is overlooking between two properties that are at similar ground levels, timber fencing, walls and hedges is preferred instead of trees to reduce overshadowing", this should be limited, again, to hedges only, for the reasons contained within 4, above.
6. Housing Design Guide, page 19, 4.2 Roof Pitch & Form, states "Variation of roof pitches between dwellings is encouraged to create a more dynamic roof scape. Acceptable roof types are listed within the High Weald Design Guide as hipped, half-hipped, gable and cat slide roofs". The plans shown appear to be uniform, boxy, designs with little or no variations across the whole of the site.
7. Housing Design Guide, page 21, 4.4 Chimneys, states "Tall chimneys are characteristic of the high weald and are encouraged within this development to accommodate wood burners...". We do not propose that wood burners are an acceptable source of heating due to the potential negative health aspects resulting from escaping particulates, nor, considering BTC has declared a climate emergency, are they a sustainable heating method.
8. Housing Design Guide, page 27, 5.4 Biodiversity, suggests bat, bird and bee boxes or bricks "...should be incorporated into the development...". It is suggested that "should" be replaced with "must".
9. Material Palette: It would be preferable to see something other than uPVC gutters and downpipes included within the design.



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10. Landscape Masterplan, page 28, is titled, and has key showing, "Proposed single species hedges" which, presumably should read "Proposed turf areas". Turf areas should be limited and more wildflower meadows created, in excess of those areas shown on page 30, to increase biodiversity.
11. Landscape Masterplan, page 36, Street scene, must include double yellow lines immediately outside plots 1-4, to prevent resident or visitor parking on Harrier Lane, which would cause a problem to other traffic in this area.
12. Landscape Masterplan, page 40, Front Garden Planting Palette, includes berberis, despite this being specifically excluded from acceptable plants on page 20, Ground Flora.
13. Landscape Masterplan, page 54, Streetscape, should include a number of fruit trees too.
14. Landscape Masterplan, page 82, Soft Landscape with Management Company, is totally, and pages 85, 87 and 89 partially illegible. How are we supposed to comment on this?
15. Landscape Masterplan, page 88, LAP within Management Company: for how long will the management company be responsible for inspecting the playground equipment, and who are the "adopting party", as per 5.41?
16. Landscape Masterplan, page 90, Management Company, item 5.55: the use of pesticides should be in line with Battle Town Council's policy.
17. Landscape Master Plan Section 6, page 3, Plant Schedule: applicant must confirm that none of the plant scheduled are poisonous or hazardous to health.
18. Site Layout Plan, Play Area, shows meandering 'snake tail' which will, undoubtedly not be followed and grassed areas will be worn away, suggest the meandering is reduced/flattened so that one may walk in a fairly straight line from apex to apex, also the litter bin should be covered and not be totally open to the elements.
19. Northern Attenuation Pond shows potential depth of 1.7m (as opposed to 1.2m for the Central Attenuation Pond), is this a potential hazard to residents?
20. Extent of Self Build/Affordable Housing Plots Plan - Is access roadway to be complete prior to the plots being sold off? If so, damage to the road surface may be expected during the construction of the self-build units. Will there be a condition survey of the road prior to commencement of the self-build units, if so, who is to undertake this, together with a post-completion survey? I can foresee problems with ascertaining who may be responsible for any necessary repairs.
21. Retailing Wall Plan & Detail: changes in level to some areas appears to be about 6m, are these areas to be fenced off for safety?
22. Public Right of Way Diagram: rather than meandering across the north of the estate, could it not proceed along Harrier Lane and then to the western side of plot 1 (footpaths through housing developments are never appreciated)? Note that the Ramblers have submitted an objection which contains further details.
23. Care & Cycle Parking Layout Plan shows cycle parking some distance away from garden gates. Cycle parking should be immediately adjacent to the garden gate to make accessing cycles easier.
24. Boundary Treatment Plan shows low-level picket fencing. This should be omitted and replaced with hedging for increased biodiversity.
25. Flood Risk Assessment states, in 3.2, that "...to the northern part of the site, the surface water flooding alignment deviates from the watercourse alignment and extend across Harrier Lane and existing dwellings. This appears to be an anomaly on the map as the realistic surface water flooding extent should follow the alignment of the watercourse...". Perhaps clarification of this mapping anomaly ought to be sought immediately?
26. Flood Risk Assessment states, in 4.4, that 1 in 100year storm duration is 15 mins to 10,080 mins, is this correct (it equates to seven days solid)?



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27. Energy & Sustainability Statement, at 5.5, page 25 Water Reduction & Efficiency, does not include rainwater harvesting commensurate with the likely demands of the plot size. This should be an imposed condition.
28. There will be a very considerable loss of existing, mature trees as a result of this proposal (shown as W1 on Arboricultural Impact Assessment, part 2 of 3, page 3). Whilst some biodiversity enhancement works are planned, should there also be a requirement for off-site planting of a large number of new trees to go some-way towards remitting this loss?
29. Design & Access Statement, page 5, shows the proposed plan for this application together with the adjacent site for 200 homes. The plan shows an existing clearing within the woodland - it is disappointing that the design layout for this application did not utilise the existing clearing, so as to minimise the tree loss.
30. Ecological Lighting Strategy, clause 2.10, suitable lighting conditions should be placed on self-build housing planning applications.

**RR/2024/60/P      28 Bowmans Drive, Battle**

Proposed single storey rear extension.

**Comments:** No objection to this subject to roof lights including a means of preventing light pollution.

**RR/2024/212/P      Netherfield Road - Land to south of, Netherfield Battle**

Proposed temporary (18 months) vehicular access. (part retrospective)

**Comments:** Members unanimously support this application as a positive outcome for local residents.

**RR/2024/251/L      39 High Street, Battle**

Replacement of 1980s factory made softwood door with new period correct 18th C Door

**Comments:** Members unanimously support this application.

**RR/2024/288/P      27 Starrs Mead, Battle**

Proposed two storey side extension

**Comments:** Members unanimously have no objection to this application, subject to the inclusion of the additional of a means of rainwater retention, bee bricks and swift or bat box.

**6. Neighbourhood Plan Implementation, Monitoring and Review Sub Committee** - No meeting.

**7. Cycling & Walking Task & Finish Group** - No meeting.

**8. Footpath matters**

a. Footpaths Advisor – no further report.

**9. Finance**

a) The **Budget Report at 31 January 2024** was noted, as attached.

b) As it is apparent that significant works to the overflow car park will be required and possible repairs to the bus shelters, **Members agreed to vire any unspent funds at budgets 4350 Bus Shelter Maintenance and 4510 Car Park Maintenance be transferred to Ear Marked Reserves.**

**10. Battle Road crossing**

Cllr Field had reported to Council that this remains in the capital programme; although a revised design is still awaited. The Clerk has requested an update from East Sussex Highways.



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## 11. Dark Skies

Cllr Silk reported on discussions with members of other parishes on the benefits of Dark Skies accreditation, that would help to inform and educate the community on the Council's commitment to the environment and personal adjustments. Cllr Silk indicated that there is no fee to join although there would be some printing costs involved. Members supported this initiative in principle and agreed that it should be discussed initially by the Neighbourhood Plan Implementation, Monitoring and Review Sub Committee.

## 12. Correspondence and Communications

Members noted:

- a. email correspondence from resident expressing dismay that Council's comments did not appear to have been considered by the Local Planning Authority and permission has been granted for the variations to **Blackfriars development** housing allocation;
- b. concerns from a local resident at **Caldbec Hill** in relation to the vehicle parking area; lack of double yellow line marking; and insufficient provision of street lights. It had been confirmed that these items are not within the responsibility of the Town Council;
- c. **Decision notices received** (those in **green** reflect Council's comments; **brown** is against Council's comments):

### Approved

**RR/2023/2567/PIP**                      **38 High Street – Land to the rear of, Battle**

Construction of dwellinghouse

**RR/2023/2609/P**                      **Oak View, Oakhurst Road, Battle**

Demolition of existing single garage and erection of double garage with home office in roof

**RR/2024/7/P**                          **Caldbec House, Caldbec Hill, Battle**

Proposed demolition of the existing 'apple shed' outbuilding and erection of new garage building

**RR/2024/46T – in part**              **8 Bowmans Drive, Battle**

T1 Oak - reduce by up to 2.5 metres.

### Refused

**RR/2023/2501/P**                      **Telham Forge, Hastings Road, Battle**

Change of use to allow office building to also be used as a dwelling

**RR/2023/2507/P**                      **Orchard Yard, Canadia Road, Battle**

Removal of yard and construction of bungalow.

### d. Communications post agenda circulation

- Cllr Field had reported that **full resurfacing of North Trade Road** has been included in the 2024/25 works programme, although it is not clear how far along this goes.
- Rother District Council had confirmed that consultation on the **Local Plan** will start in mid-April. Further information will be provided shortly.
- A suggestion that **CCTV on specific areas of the High Street** could prevent bad parking on yellow lines and in loading bays etc.

## 13. Action Plan for 2023-2027

This was noted as attached.

## 14. Matters for information / future agenda items

Two further items were highlighted for the forthcoming Strengthening Local Relationships meeting:

- the potentially dangerous lack of **road markings for the zebra crossing** by the Police Station;
- the extremely poor **road surface on Netherfield Road** resulting in Stream Farm Cottages being used as a by-pass.



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**15. Date of next meeting:** 9 April 2024

**EXCLUSION OF THE PUBLIC AND PRESS**

*There were no Members of the public*

**16.** The updated **enforcement list as at 1<sup>st</sup> March 2024** was noted. The Clerk was asked to bring the recently erected 6ft fence in Hugh's Field to the attention of Rother District Council.

There being no further business the meeting closed at 21:40.

**Cllr D Wheeler**  
**Chairman**